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Res Gestae

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1975

September 5, 1975

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### Recommended Citation

University of Michigan Law School, "September 5, 1975" (1975). *Res Gestae*. Paper 644.  
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J.D.S.

# Docket

## SECOND-YEAR STUDENTS

An informational and organizational meeting for all Second-Year Students interested in participation in this year's HENRY M. CAMPBELL MOOT COURT COMPETITION will be held today, Friday, September 5th, in the Moot Court Room in Hutchins Hall at 3:15. All Second-Year Students who are interested in obtaining additional information about the Competition are urged to attend. A general information sheet is posted on the Campbell Bulletin Board on the second floor of Hutchins Hall.

## LOCKERS

All persons having lockers must either register or re-register with Dorine in Room 300 from now through Sep 19. Lockers not registered will be re-assigned.

## MOVIE

There is a rumor that if the film comes in on time (it is late in arriving) Casablanca will be playing in Room 100 tonight. Check the blackboard for further information.

## DROP/ADD

Deadline for non-approved drop/adds is Friday, Sep 12 at 4:30 in Room 300.

# NOTICES

## NON LAW COURSES

Persons taking non-law courses are reminded that they will be responsible for arranging for their instructor to receive a Supplemental Report Form at the end of the term. These forms can be obtained in Room 300.

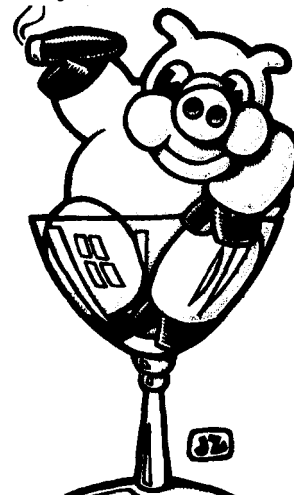
## PILS

It's never too early to get the pro bono habit. Attend a brief meeting of the Public Interest Law Society (PILS) and copy a research assignment sent us by public interest groups from as far away as Boston, Washington or Lansing.

You will have the opportunity to inject yourself into some real-world problems - federal or state policy-making, law reform litigation, or litigation on behalf of indigent persons.

Meetings will be mercifully short, with little or no danger of your nodding off. See this blotter and the ever-present walls for days and times. The action will probably commence in a week and a half over brown bags and trays at noontime.

Meanwhile, you can leave word of your interest with Alan Barak, F-34 Law Quad (764-9037) or 112 Legal Research (basement of library) (763-2176).



# RES GESTAE

## The RES GESTAE

The Res Gestae is published weekly on Friday mornings during the Fall and Winter terms. It tries to be irrelevant and irrelevant. Its staff consists of a very few "editors" (those who cut out submissions and paste up the format), some "writers" (those who submit submissions to be cut up and pasted out) and a few cartoonists (the only persons displaying any discernible talent). In its more pretentious moments RG hopes to provide a forum for the expression of ideas and emotions not otherwise acceptable to the powers that be. The policy of the RG has been to print anything submitted on time (Tues, noon) and typed or flawlessly handwritten about matters of interest to members of the law school community--if there is such an animal anymore. This year, rising costs force us to request that special efforts be made to achieve brevity in articles submitted.

RG will try to make more of an effort this year to publish a calendar of upcoming law school events. We ask any people with knowledge of an event to give us a description by 5:00 PM Wed of the week prior to the event. Such description need not be typed unless it is of more than 25 or so words.

RG is always desirous of additional staff members, writers, and cartoonists. Please be assured that your effort will be greatly appreciated. The LSSS has provided \$400.00 per semester for salaries. It does not amount to much per hour but it is shared by all those who are "regulars" with emphasis to the cut and paste crew.

teddy

DEAN REPLIES TO BLSA

Mr. Aubrey Verdun  
President, Black Law Students Alliance  
University of Michigan Law School

Dear Aubrey:

I'm sorry about the lateness of this report on the faculty response to the various requests presented by you and other student representatives during the last term. It has been an unusually busy summer, however, and in addition the enclosed faculty resolutions were not put in final form until recently.

We have now appointed two outstanding young men, one a Black and one a Chicano, to two-year positions in which they will devote half their time to pursuing a graduate degree and half their time to counseling minority students. Furthermore, a third candidate, a Black woman, so impressed the interviewing committee that she was offered, and has accepted a one-year graduate fellowship.

As previously announced, the faculty has authorized the offering of a variety of courses on race discrimination, sex discrimination, and discrimination in general. So far, we have scheduled a course in sex discrimination and a seminar in women's property problems for this semester, and a course in race discrimination (to be presented by a distinguished Black Federal Judge) and a seminar which will include employment discrimination for next term.

We are giving top priority to adding another minority person to the faculty this year. Unfortunately, the two black males, the one black female, and the one white female whom we invited to visit us last spring to discuss a possible appointment have so far not been able to come.

As indicated in one of the attached resolutions, the faculty has adopted a grading system under which faculty members will not know the identity of persons taking final examinations until after the grades have been submitted to the registrar. Thereafter, faculty members may modify the grades to take account of classroom performance,

Teddy, from p 3

etc., but each student will be entitled to check his or her initial "anonymous" grade. As discussed during our meetings, faculty members' discretionary judgments in evaluating student performance are not subject to review, but the dean is prepared to entertain charges that a grade has been given arbitrarily, discriminatorially, or in bad faith.

The faculty has wrestled with the issue of "pass-fail" grading and with other aspects of the grading system during much of the past couple of years. The present arrangement, under which a student may take approximately a quarter of his or her upper-class courses on a "pass-fail" basis, is unlikely to be altered significantly in the near future. A majority of the faculty apparently believes that an extension of the "pass-fail" option would diminish student incentive, impair the quality of classroom discussions, and reduce the accuracy of student evaluation.

The second enclosed resolution reiterates the faculty's commitment to a minority admissions program with an annual goal of 10-12 percent minority enrollment in each entering class. For the reasons stated, the faculty concluded that, at least at this time, it should not vary the 10-12 percent figure. It also decided not to add Asian-Americans to the groups currently covered by the specific percentage goal (Blacks, Chicanos, Native Americans, and continental Puerto Ricans). Note, however, that the Admissions Officer is authorized to take socioeconomic background into account in assessing the qualifications of any applicant. I might also mention that, while the faculty rejects the notion that population percentages are a proper basis for setting admissions goals for any racial or ethnic group, the fact is that the Asian-American law school population in this country has risen dramatically in the last few years to over 1,000, or one percent of the total. The latter figure is approximately the percentage of Asian-Americans in the national population as a whole.

Early this fall, a special report will be submitted to the faculty concerning the problem of students who have acquired a heavy debt burden in financing their educations. Specifically, attention will be directed to the appropriate "mix" of grant and loan in such cases. In addition,

John Mason and I have appealed to the central administration for further financial aid funds for all our students. On the bright side, the total of law School loans and scholarships has increased from a little over half a million dollars a year in 1970 to almost one million dollars a year today. About forty percent of this currently goes to minority students.

I hope these comments will be helpful. If you have any questions, please let me know.

Sincerely,

Theodore J. St. Antoine  
Dean

ANONYMOUS GRADING

(The faculty approved the following policy on May 2, 1975:)

In each examination room there shall be numbered sheets on which each student will sign his name as he enters the room. The number to which his name is adjacent will be his identification number for that examination, and he must place it on the cover of his examination paper.

When all students have placed their names on the sign-up sheets, the sheets shall be placed in a sealed envelope by the proctor and, at the end of the examination, delivered by him to the Registrar, where the envelope will remain unopened until the instructor has filed the grades with the Registrar. Then the Registrar shall open the envelope and associate the examination grades with the students' names.

If the instructor uses class performance, assigned papers, or other announced considerations in arriving at the course grade, he shall then make those adjustments, but a student's original examination grade shall be made available to the student.

It may be thought by some that the procedure would be simpler yet equally effective if a student were assigned a single number for all the examinations in a given term. The difficulty is that maintaining anonymity would require that the examination numbers be kept sealed until the very last grades were turned in. Since one or more of our colleagues fails to meet the grading deadline each term, the Registrar often would not be able to begin the processing of grades until very late, with resulting ill consequences to the students and to her.

# BISHOP

---Prof. William W. Bishop Jr., of the University of Michigan Law School has been named as one of four U.S. members of the Permanent Court of Arbitration, an international group whose members can be called to arbitrate international disputes.

The appointment, announced by the U.S. Department of State, was made by Secretary of State Henry Kissinger. Appointed for six year terms, members of the Permanent Court of Arbitration serve in their personal capacities and not as officers of the U.S. government.

Other U.S. appointees are Herbert Brownwell of New York City, who was U.S. Attorney General from 1953-57; Monroe Leigh of Washington, D.C.; and John R. Stevenson of New York City.

A major function of the Permanent Court of Arbitration is to nominate persons for election by the United Nations Security Council and General Assembly as judges of the International Court of Justice. Five vacancies will occur on the International Court of Justice this year.

The Permanent Court of Arbitration was created by the 1899 and 1907 Hague Conventions for the Pacific Settlement of International Disputes. The court is charged with responsibility for "facilitating an immediate recourse to arbitration for international differences, which it has not been possible to settle by diplomacy." The secretariat of the court is head-quartered at the Peace Palace at The Hague, Netherlands.

A member of the Michigan law faculty since 1948, Prof. Bishop holds the distinguished Edwin DeWitt Dickinson University Professorship at the Law School. He received both the A.B. and Juris Doctor degrees from the U-M and also did graduate study at Harvard and Columbia. From 1939-47, Bishop was assistant legal advisor at the U.S. Department of State.

In 1965 Prof. Bishop received the Distinguished Faculty Achievement Award from the U-M. He is co-director of the Law School's international legal studies program and the author of a widely used casebook on international law.

Prof. Bishop will retire from his Law School post in December, 1975. He plans to remain in Ann Arbor during his service on the Permanent Court of Arbitration.



An open letter to first year students from the members of the Ann Arbor National Lawyers Guild:

first of all: Don't let the law school fuck with your heads. You came here for certain reasons - maybe slaying dragons and changing the world - because you thought that a legal education would help you in that direction. But now it's the end of the second (third?) week and you are completely blown away by the dog-eat-dog attitudes and are looking around for someone who seems to be here for the same reasons you are.

Well, come meet us - the members of the Ann Arbor National Lawyers Guild. This past summer we worked on Wounded Knee Defense; in a miner's health project in Harlan, Kentucky; in a law commune in Menlo Park, California (what's a law commune? sounds interesting...); for Michigan Migrant Legal Assistance, etc. If this is the type of legal work you are interested in, come to our first meeting and meet us.

Watch for posters announcing the time and place - sometime in the coming week. In the meantime, if you have any question call Susan 665-2570, Michael 668-7170, or Margie 663-7237.

Looking forward to seeing you,

the NLG

Teddy, from p. 4

### SPECIAL ADMISSIONS

(The faculty approved the following policy on May 16, 1975:)

The faculty approves the continuation of the special admissions program of the Law School in recognition of the public interest in increasing the number of lawyers from ethnic and cultural minorities that are significantly underrepresented in the profession, and of the Law School's interest in maintaining the quality of the legal education experience by assuring the diversity of backgrounds of its students. After nine years of a special admissions program, we are pleased with the large numbers of students admitted through it who have completed their degrees and gone on to serve in the full variety of occupations the best young lawyers find open to them.

Since a combination of the Law School Admission Test score and the undergraduate grade point average appears to be the most reliable basis for predicting probability of success in the Law School, without regard to the ethnic or cultural background of the applicants, these data should continue to be important factors to be taken into account by the Admissions Officer in the selection of the candidates to be admitted in each year's class.

Nevertheless, the faculty recognizes that factors other than performance on the Law School Admission Test and in undergraduate school may bear upon an applicant's probability of success in law school and the contribution he or she may make to the educational environment of the school. The Law School Admissions Officer and the Admissions Policy Committee are therefore authorized to give weight in reviewing all applications to personal statements, recommendations, work experience, extracurricular activities, and other evidence of ability and promise of success in Law School. The faculty continues to believe that with regard to four particular ethnic and cultural groups special procedures are necessary and appropriate for the purpose of insuring that the continuing competition for admission to this Law School does not result in wholly denying them an opportunity to study law here. These groups are Blacks, Chicanos, American Indians, and Puerto Rican Americans. The faculty reaffirms

the goal of including in the class of 1978 and subsequent classes a number of qualified members from such groups equal to at least 10-12% of the entire class. This goal does not reflect a determination that the number of admissions to the Law School from any of these groups shall be correlated to the population of these groups in Michigan, the United States, or any region of the United States. It is rather a recognition that these groups have been substantially underrepresented in the student body and the legal profession and that the problem cannot be corrected quickly in the absence of such special procedures.

The faculty has thus concluded that it must reject two proposals for change in the special admissions program. First, the faculty has concluded that an increase in the program's goal from 10-12% to 15% cannot be justified in terms of our current admissions experience. On the basis of that experience, it appears that if we admitted an additional three to five percent of special admissions students, many of them are likely to encounter serious academic difficulties. We believe that admitting persons who are likely to be in academic difficulty throughout their law school careers does not serve the needs of the students admitted, the school, or the legal profession.

Second, the faculty has concluded that the number of groups included in the program should not be enlarged--in particular, that Asian Americans as a group should not be included. This conclusion is grounded on the view that normal admissions procedures have not led and are not likely to lead to significant underrepresentation in the class of students from this group. Moreover, it should be recalled that candidates from this group will, like all candidates, have their applications evaluated not only on the basis of Law School Admissions Test scores and undergraduate academic records, but also on the basis of other evidence and promise of success in Law School. In addition, the Law School's interest in assuring the diversity of its students' backgrounds, educational experiences, and areas of interest will remain a factor in the evaluation of applications of Asian Americans, as it is in the evaluation of all other applications for admission.

# FICTION

## CRIMEFIGHTERS

### TEXTBOOK

- the traffic ticket

As we join our two ubiquitous crime-fighters, Argie (RW) Ant and Lucy have just left the Scio drive-in ... Argie is explaining to Lucy the complex legal intricacies as to why bribery is not considered a legitimate self-help remedy ...

"... and so, as the footnote in State of Texas v. Connally to-wit: 34. Compare Jenad, Inc. v. Pooley Ent., Ltd., 46 Cal. 2d 367, 294 P.2d 945 (1956) (not contained in this volume), supra ..."

"Argie?" Lucy interrupted.

"Yes?" our favorite ant quipped.

"Have you ever mistaken your bottle of Dristan Nasal Mist for your bottle of Visine Eye Drops?" Lucy asked. But as Argie was formulating an appropriate answer, his ever alert senses noticed the flashing red light and wailing siren of the vehicle which had been following them for the last 1.7 miles.

"It's a flashing red light and a wailing siren on (and from) that car behind us!" he gasped!

Lucy, puzzled, queried, "I thought sirens were mythical creatures and I never heard anything about them being so brazen as to advertise on the streets like ..."

"Can it!" Argie replied efficiently, "this car, being a Superior Trans Am Triumph Ultra Spitfire 900 cid with an eleven barrel carb, has, of course, no left tail light! Damn, there goes my clerkship with Judge Thommassen!"

As the Trans Am Triumph was being forced off the road by the police cruiser, Argie thought furiously.

"Anyway, no-one advertises with a flashing red light. Do they?" Lucy mumbled.

One of Washtenaw County's finest got out of the cruiser and walked up to Argie's window.

"Come on kid, unroll the window"

'Rats, he noticed' thought Argie.

Lucy added, "It won't work Argie, you'll have to open it sooner or later."

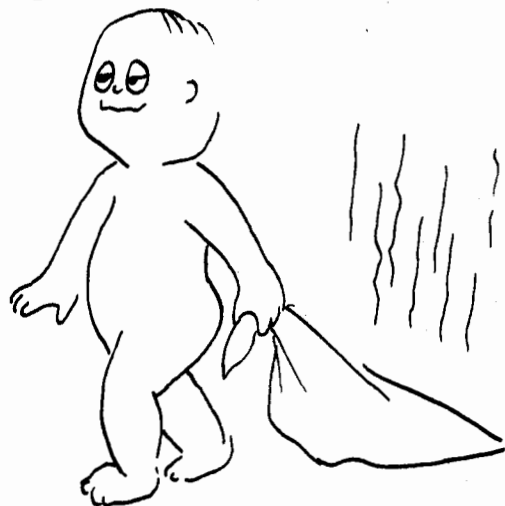
As Argie cautiously unrolled the window, the officer asked to see Argie's driver's license.

"Yes sir, officer" ... 'May the dung of a thousand camels be piled in your bed as you sleep' Argie added to himself.

Everyone waited calmly while the minion

of the law inspected the license.

"Well son, your license is in order, but I'm afraid I'm going to have to give you a ticket. Your left tail light is out. Now if you'll just have it repaired and bring it down to the ..."



Remember Kids,  
Equity takes no Shit!

KK

"Excuse me sir," Argie interrupted, "I have no recourse but to point out to you that I cannot be held responsible for this violation. In fact, I have no responsibility for the condition of this automobile whatsoever, as, you see, I have only just recently stolen it!"

As the ~~officer~~ officer [that was a cheap shot. I apologize] read Argie his rights, Lucy whispered,

"Argie! did you really ..."

"Of course not, Lucy. But I have a plan!" Argie replied.

Subsequent and pursuant to all proper procedure having been proceeded with properly, Argie conveniently re-stated his confession. He was immediately arrested and a paddy wagon was brought in which our hero was hauled off to jail. As it drove away, Lucy called after it,

"If I catch you with any of those sirens, Argie Ant, you're gonna be up the river with no lunch!"

We switch now to the courthouse, six months later, and Argie, who has been out of jail on a study furlough program (attending, as he was prior to his arrest,

See FICTION, p 8



*Fiction, from p 7*

our own Alma's Mother) is standing before a judge ...

"But your honor," Argie demands, "despite any prior inconsistent statements, albeit by myself, the facts that I owned good title to that car and possessed a valid Michigan registration at the time of the arrest are incontrovertible and you must arrive at a directed verdict of acquittal! You cannot ... you absolutely cannot convict me of stealing a car proven to be mine."

The judge called to have his clerk brought in, a youngster by the name of Flea ... L.R.Flea. They conferred for about a half an hour before the judge spoke again,

"What you say way mell be true, young man, but I will find you guilty of failing to produce your registration and having a faulty left tail light ..."

"Your honor," Argie broke in, "you can't do that either. The officer never asked me for my registration and he did not give me a ticket for the faulty tail light. That violation is certainly not a lesser included offense to auto theft and you can't bring new charges either. The transactional approach bars you from bringing a new charge when a violation from the same transaction results in acquittal!"

"Hmmm," said the judge. Ms. Flea was summoned again.

"Argie!" whispered Lucy, "why are you doing all this?"

"Because, you pedestrian," he replied, "if I were to allow this traffic violation to appear on my record, how would it look to the ethics committee when I take the bar exam?"

"Mr. Ant," the judge called out, "why, in the name of the life-size genuine marble statue of justice that stands in my office, did you tell the officer that you had stolen the car?"

Ms. Flea tapped the judge and whispered something in his ear.

"And furthermore, I believe that such deliberate misinformation is a misdemeanor violation, which does not fall within the transactional approach bar to re-arrest. And in light of your own in-court admission ..."

"Your honor," Argie interrupted, "my mis-statement, which was certainly incorrect, could not have been deliberate because at the time of the statement ..."

Argie paused for effect,  
"I was drunk."

"And could not, therefore be held responsible for the incorrectness of my statement!" Argie gave Lucy the victory sign. "A drunk driving arrest, I must warn you ahead of time, since drunk driving is only a misdemeanor, can only be made by a police officer in whose physical presence the violation actually occurred. And since Officer Krumke, God Rest His Soul, lost his life in that freak camel dung accident ..."

Join us next week when the  
CRIMEFIGHTERS  
take a look at parking meters!

- G. Burgess Allison

*DUMP from p 9*

nuclear powered energy generators. Now, as we are all aware, there are many serious questions to be answered about the reliability and safety of these atomic plants. Should anything go wrong, the prospect of endangering many human lives is very great. I pointed out these things to the interviewer and inquired if he had any qualms about representing the utilities in these matters. He did go so far as to acknowledge the existence and scope of the safety questions, but he closed off the discussion with, "You can't worry about such philosophical issues when you're trying to make a living."

At the time of these interviews I laughed and got angry and felt morally superior. But it's hard to tell who is more full of crap--those two guys or me. Sunday's paper had this interesting comment by Ralph Nader: "Students today brag about how concerned and idealistic they are, and how militant they are for change compared to the older generation. But by the time they graduate and get into normal occupations and family responsibilities, they'll be indistinguishable from their parents--except for their mustaches and wayout clothes."

Bye.

# dump

## DUMP TRUCK

"I NEED A DUMP TRUCK, BABY, TO UNLOAD MY HEAD."

— B. Dylan

by Larry Halperin

To refresh your memories or, to you first year people, to introduce the cast of characters: This column is to be an animated cartoon illuminating "Your Friend, The First Amendment." I don't deal in libel here, (the favorite criticism made by Richard Nixon about the RG in general every time his copy is delivered), but I do plan to unleash some "controversial" opinions upon the public. "You," being the public will hopefully be moved to some sort of reaction every now and then.

One point to be made before we go any further: I promise not to write anything when I don't have anything to say. Everybody is looking for excitement on Fridays, and reading this journal cover to cover is certainly a stimulating experience, but I know it's frustrating to surreptitiously go through a whole article behind your casebook only to conclude at the end that even class would have been better. So, do not look for the Dump Truck every week. It won't be unloaded if it's empty.

I read the Survival Guide for New Law Students and it seemed to be extremely helpful, articulate and accurate. There is just one area that I would like to expand upon: The Wonderful World of Job Interviews. Everyone approaches these sessions in the boxes differently. For everyone it's a chance to act out a role, as if strutting an hour upon a stage. Some see themselves as Nagg and Nell, the two old people who live in Garbage Cans in Beckett's Endgame and occasionally pop up to utter some portentous statement on life. Others think they are King Lear and expect the trumpets to blare when they walk in...and they too grow more disappointed by the silence. Initially I practiced at being Uriah Heep--acting very 'umble, but carefully plotting to weasel my way into the favor of these mighty selectors.

After a few shows had come and the curtain came down with no critical acclaim, I decided to alter my approach to my role. It may have been sour grapes, but I became convinced that, no matter what, grades matter, and

that being the case, the biggies weren't going to take me anyway. At that point I decided to have fun. I would give completely honest answers to their questions and in turn ask them anything I wanted.

With the above as background, I will now relate two anecdotes--they are both true and are presented in an uncut version with no editorial comment.

1) One Chicago interviewer asked me why I didn't like law school the first year. I proceeded to go on at some length complaining about the lack of social conscience exhibited by law students. I told him that it seemed to me then (I began law school in 1972) that no one here ever talked about using "the law" to correct some of the inequities in our society, but everyone was interested in a good job and good money. I explained that I retained enough idealism to believe that lawyers could bring about some fundamental changes in the distribution of wealth and power in our society. The interviewer had been growing plainly more restless with each statement I made. When I finally concluded my diatribe, his response was simply, "You're three or four years behind the times."

2) I was talking to a Washington D.C. firm that represented electric utilities that were busy building

See DUMP, p8



Query:  
Is law school  
a tort?

## relief

--Many American courthouses are "obsolete and unworthy of being used in the judicial process," says a University of Michigan architecture professor.

Writing in the American Institute of Architects (AIA) Journal Prof. C. Theodore Larson describes the "typical" American courthouse in bleak terms:

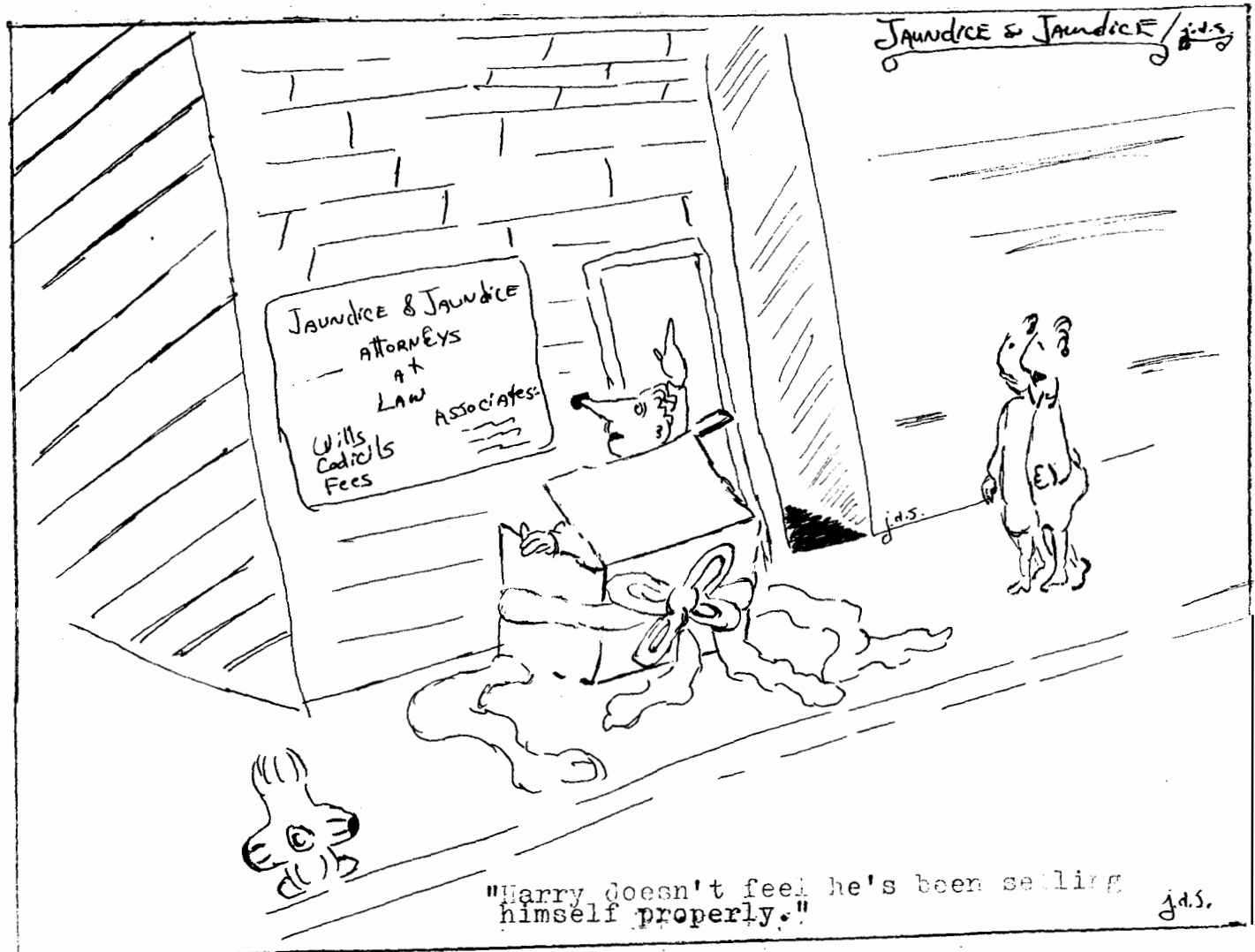
"Dirty and smelly, poorly ventilated and ill-lighted, it is literally bursting at the seams under the pressure of judicial business. For lack of an adequate system of interior segregation, the building occupants---judges, lawyers, litigants, jury members, witnesses, police...news reporters and other assorted functionaries and hangers-on---mill around in varying degrees of uncertainty and emotional stress...

"For the most part, the judicial process a

and the courtroom in which it is conducted are pretty much the same as they were 200 years ago."

Larson also contends that "if the courts are to catch up with their ever-mounting caseloads---already months and even years behind in most American communities---the innovations in judicial procedure and in environmental design will have to come quickly and in great profusion."

A professor emeritus of architecture at the U-M's College of Architecture and Urban Planning, Larson was co-editor of a recent publication examining the design of future American court facilities. Titled "The American Courthouse: Planning and Design for the Judicial Process," the book was published by the Institute of Continuing Legal Education, headquartered in Ann Arbor. The book was an outgrowth of a five-year study by members of the U-M architecture and law faculties, under sponsorship of the Ford Foundation, the American Bar Association (ABA) and the AIA. *cont p 11*



Based on a New Hampshire study which found 30 out of 87 courthouses below minimum state standards, Prof. Larson estimates that as many as one-third of existing American courthouses may now be obsolete. Courthouse design, he says, "is a truly enormous and challenging market that awaits the attention of building designers. Moreover, if the current business recession deepens, it is quite likely that the federal government, and even some state governments, will make large sums available for local public works, and new courthouses undoubtedly will become prime targets for easing unemployment in the construction field."

An advocate of the "electronic courtroom," Prof. Larson says use of videotape equipment, closed circuit TV linkups and other innovations would streamline our system of justice. As a result of these advances, he says, various judicial units and related community services need not be situated under the same roof.

"Videotape makes it possible for a court to see as well as hear witnesses who cannot come to the hearing or trial because of illness or some other reason," Larson says. "If the taping is done in a setting where the witness is fully at ease, a more accurate portrayal of emotions and attitudes is likely to be had than in the tension-filled atmosphere of a courtroom."

Larson notes, however, that videotape use is opposed in some quarters. He cites a Vermont drunken case where a jury watched on video the entire court proceedings except opening remarks and summation by attorneys and the judge's charge. Larson notes the jury's verdict of guilty has now been appealed on grounds that a defendant in a criminal trial has the right to confront an accuser in person.

But Larson argues that "the constitutional right of personal confrontation in a court trial can be assured by applying more technology. When the courtroom is hooked up with a closed-circuit or cable TV system, it becomes possible for instant two-way exchanges to be conducted between the court and a witness who is far away."

Despite such early opposition, Larson says "widespread use of videotape and TV in court hearings appears inevitable." He cites statistics showing that since 1971, use of such equipment has been doubling every year. In Michigan, he notes, the

Supreme Court has ruled that videotape can be used in taking depositions from witnesses.

Some changes suggested by Larson would require changes in attitudes among judges.

"Traditionally," the professor notes, "it has been the practice for every judge to be assigned to a particular courtroom for personal use. This courtroom, located conveniently near the judge's own chambers, has tended to become an extension of the judge's professional ego. Judges, naturally enough, are loath to give this up, despite the urgings of court administrators who see economic advantages in having any courtroom used rotationally by any judge."

"Just imagine," Larson continues, "what this territorial imperative implies for the courthouse of the future. A city or county with a population large enough to need 50-plus trial judges would have to provide 50-plus separate courtrooms."

"If all the courtrooms and an equal number of judges' chambers were put into a single building along with all the ancillary services associated with the judicial process, the result would be a megastructure dwarfing everything else on the horizon."

Larson notes that many changes are already under way within the courtroom itself. The most popular furniture arrangement in today's courts, he notes, is a circular "theater-in-the-round" pattern which provides better viewing and listening conditions than in the past. The traditional pattern, he says, was a box-like arrangement with the judge, witnesses, clerks and other personnel at different levels.

The question of courthouse security, says Larson, presents some "complex planning and design problems."

"Armed barricades and defendants brought in to court under heavy guard are hardly conducive to an image of calm, evenhanded justice," he writes. "Through a proper separation of traffic routes and the use of unobtrusive protection devices (microwave or ultrasonic intrusion alarms, low-light television cameras with closed-circuit systems and automatic monitors, and other sophisticated hardware), it is possible to have adequate courtroom security and at the same time a humane and unabrasive environment."



Now how about renovating some of the people in the courthouse

Treasurer's Report  
Law School Student Senate  
1974 - 1975

EXPENSE STATEMENT:

<u>Budget Accounts</u>	<u>Budgeted</u>	Supp. <u>Appro.</u>	Actual <u>Expense</u>	<u>Balance</u>
Film Committee	\$ 1600.00	\$ 588.00	\$ 1803.30	\$ 384.70
Social Committee	5350.00	640.00	6090.96	[100.96]
Sports Committee	600.00	300.00	898.18	1.82
Speakers Committee	3000.00	[1050.00] <sup>1</sup>	1940.31	9.69
Senate				
Operating	500.00		428.31	71.69
Contingency	1500.00		490.67	
Prior Year's Debt	--		48.69	590.92
Unknown Items			369.73	
Blue Books <sup>2</sup>	800.00			800.00
Ad Hoc Advocates	--	100.00	44.68	55.32
A.B.A.-L.S.D.	180.00		180.00	
B.L.S.A.	1400.00	645.00	1673.64	371.36
Barristers	500.00		500.00	--
Environmental Law	950.00		968.23	[18.23]
Feminist Legal	--	150.00	97.41	52.59
International Law	870.00	500.00	1379.03	[ 9.03]
LaRaza	575.00	263.00	541.04	296.96
Law Spouses	445.00	300.00	682.00	63.00
Lawyers Guild	679.00		498.32	180.68
Legal Aid	1000.00	600.00	1528.17	71.83
Phi Alpha Delta	175.00	935.00	848.83	261.17
Mental Health	--	29.00	4.10	24.90
Res Gestae	1017.00		1036.93	[19.93]
Section V	--	2520.00	1775.14	744.86
Trial by Jury	--	549.00	739.94	[190.94]
Women Law Students	905.00	1066.00	1929.68	41.32
Pub. Int. Law	150.00		--	150.00
Mich. Law Critique	650.00		--	650.00
M.I.A.P.	1776.00		--	1776.00
L.S.C.R.R.C.	230.00		--	230.00
Codicil	500.00			500.00
	<hr/>	<hr/>	<hr/>	<hr/>
TOTALS	\$ 25,352.00	\$ 8135	\$ 26,497.28	\$6,989.72

Treasurer's Report  
Law School Student Senate  
1974 - 1975

REVENUES:

EXPENSES:

<u>Accounts</u>		Senate & Committees	\$ 12,070.14
Pinball machines	\$ 6578.00	Organizations	14,427.14
Vending	3655.86	Vending	3,191.08
Movies	1316.86	Laundry Room	4,000.00
Mixers	1557.01	Student-Faculty Directory <sup>3</sup>	905.26
Grease Ball 74/75	550.02		
Student-Faculty Directory	900.00	TOTAL EXPENSES	\$ 34,593.62
Trial by Jury	170.00		
M.I.A.P. return	3154.88	Cash On Hand	6,160.32
S.G.C. forced refund	1118.70	Pledged to buy lockers	4,000.00
Law Student Fee Allocation	13,956.00	Pledged piano repair	500.00
and Dean's Fund			
Transfers, P.A.D. & Sec. V	1200.00		
Interest	80.00	CASH SURPLUS July 1, 1975....	\$ 1,660.32
Miscellaneous	154.07		
Cash on Hand - prior year	2362.54		
Laundry Room Pledge	4000.00		
TOTAL REVENUES	\$40,753.94		

**Budget**

**L.S.S.S.**

1975 - 1976

Film Committee	\$ 1,375.00
Social Committee	5,910.00
Sports Committee	900.00
Speakers Committee	2,500.00
Senate Contingency	2,500.00
Senate Operating	500.00
	<u>\$13,685.00</u>

**Organizations**

Ad Hoc Players	\$ 550.00
Black Law Students Alliance	1,760.00
Environmental Law Society	638.50
Feminist Legal Service	125.00
International Law Society	1,055.00
La Raza	1,120.00
Law Spouses	275.00
Lawyers Guild	820.00
Legal Aid	800.00
Mental Health Law Society	390.00
Phi Alpa Delta	648.50
Public Interest Law Society	20.00
Res Gestae	1,017.00
Section V	1,350.00
Women Law Students	1,265.00
	<u>\$11,834.00</u>

Total \$25,519.00

--Many doctors would like to see new laws removing the possibility of criminal prosecution of parents and physicians who choose to let badly malformed infants die.

But a University of Michigan law professor argues that present laws should remain in force and that the legality of such "mercy killings" should continue to be considered on a case-by-case basis.

In a paper prepared for a symposium on genetics and the law, Prof. Robert A. Burt argues that legal sanctioning of death for certain malformed infants would obscure the seriousness of such an action. He **also** says such legal reforms would be premature, giving "legitimacy to actions which today still leave most of us deeply uneasy."

Prof. Burt, a specialist in medical law and a faculty member at U-M Law School and the psychiatry department of the Medical School, notes that recent advances in fetal genetic screening through amniocentesis--allowing early detection of birth defects---has increased doctors' demands for legal reform regarding treatment of deformed infants.

Impetus for this demand, he says, comes from the U.S. Supreme Court ruling legalizing abortion during the early stages of pregnancy, followed by the recent conviction of Dr. Kenneth Edelin of Boston for the death of a fetus in an apparently lawful abortion.

Prof. Burt maintains that, despite legal risks, it is now common practice among physicians to withhold treatment of malformed infants if parents so choose, thereby causing early deaths of the infants.

But Burt says he would prefer "the continued regime of many ignored law violations" rather than instituting legal changes that would sanction such killings.

"If there is a socially sanctioned mechanism for ending the lives of deformed infants .. the question will be insistently posed for every obviously deformed child and his parents: 'why was this child permitted to live?'" Prof. Burt writes. "This is the cool logic that...invites us to turn away from all monstrous deformity."

Burt also contends that legal changes in

this area could lead to "bloodless" criteria for determining legality or non-legality of certain killings, thus obscuring the reality of the act.

"There is a bloodless quality about specifying these criteria in such a visible, articulated way---a bloodless quality which begins to obscure the fact that we are engaged in a very bloody business. We are defining which human beings are 'persons' whose continued life must be cherished and which humans we are entitled to turn into 'non-persons' ...."

The professor argues that "when we find ourselves authorizing death for the deformed, we must also vicariously harden our hearts to the deformities we all feel, circumscribing the range of abnormality we are willing to accept in ourselves. As we do this to ourselves...we are pushing along in barely perceptible steps the internal psychological processes which permit us one day rationally, coolly, bloodlessly, to consider what today seems widely beyond possibility.

If decisions to terminate treatment of deformed infants continue to carry criminal risks, Burt predicts that convictions "would materialize---as in the Boston case ---occasionally and more or less unpredictably depending on varying policies of local prosecutors, randomly selected jurors and sentencing judges."

Burt adds: "Because these decisions---dispensing life and by necessary implication dispensing death---press against our most basic communal identities, I think it proper that the society impose an extraordinary burden of care-taking on these physicians.

"The possibility of criminal liability should force these physicians to give of themselves, to identify both with the family and the newborn child as if the suffering of each were the physicians' own..."

